

# An APPEAL to each individual Member of the present Parliament and Army, in the case of *John Poyntz alias Morris, Mary his wife, Isabella Smith, Leonard Darby and John Harris* :

Who by the Power, Policy, Treacherous Insinuations, and Scandalous Suggestions of *John Brown*, Clerk of the House of Lords (who have combined with one *Littleton*) have been illegally Imprisoned in four several Prisons, by Vertue of the Lords Order, for the space of twenty Months; and by the Lords fined and sentenced, without Crime, without legal Hearing, without Evidence; not being suffered to enjoy the benefit of Law, or make their lawful Defence, as by Law they ought.

SIR,

It is a known and approved maxime, That crimes are by so much the greater, by how much the greater the Persons are that commit them; so it is as certain, that that injustice is by so much the more superlatively great, which is perpetrated under pretext of doing Justice.

Sir, *John Poyntz alias Morris, &c.* hath been imprisoned by the Lords, for a pretended Forgery, upon the suggestion of *John Brown*, Clerk of the House of Lords, and one *William Littleton*; upon whose complaint, the Lords contrary to the Great Charter (which says, *Nemo shall be deprived of his Freehold, Liberty, or Estate; nor be passed upon, save by the judgment of his Peers, or by the Law of the Land*;) proceeded to judgment against the said *Poyntz alias Morris*, who was never brought to the Lords Bar, to answer to what was objected against him; by Vertue of which Sentence, the said *Poyntz alias Morris*, and *Mary his wife, Isabella Smith, Leonard Darby*, have remained prisoners ever since *May* was a twelvemonth; having an estate of above two thousand pound per annum kept from him, by reason of the said illegal Sentence.

That we have not been wanting in our endeavors, both to obtain our Freedoms, and clear our innocency, is apparent by our several Addresses made to the House of Commons: the sum of all our desires being as followeth.

That forasmuch, as it is apparently agreeable to the Law of the Kingdom, That all Offenders are to be tried for all supposed Crimes by a Jury sworn, to proceed in an ordinary Court of Justice, according to Law, and a Jury of their equals sworn to proceed according to evidence: And forasmuch, as notwithstanding all our endeavors, we could never obtain so much Justice, as such a legal Tryal, (being but that which Fellons or Murderers may challenge, and do frequently enjoy;) but contrarily have been, and are destroyed by the Lords (who are deluded by *Master Browns* false suggestions.) That therefore the house of Commons would be pleased to free us from our fines and imprisonment, by Vertue of the Lords Order. And that we might be brought unto a speedy Tryal *per pares*, for all Crimes that can be laid unto our charge; that by the Law we might be acquitted or condemned.

Several Citizens having waited many days with our Petition, and delivered several Papers to the Members, desiring a positive Resolution; whether they would receive our Appeal or no. On Saturday November 1648. (Master Brown having been a pretty season in the House, before the sitting thereof,) our Appeal was read and referred to a Committee, whereof *Master Pryne*, (Master Brown's special Friend, was to have the Charge,) by whose means, notwithstanding multitudes of solicitations day after day, we could never get a Committee to sit, but we are still left to be destroyed by a merciless and unjust imprisonment.

Whereupon, seeing all Power and Authority perverted, and no possibility left for our deliverance, we were as persons altogether without hope, until God was pleased to open a door and let in comfort, by the appearance of his Excellency *Thomas Lord Fairfax*, and the Forces under his Command, for the due execution of Justice and Relief of the Oppressed: From whose Declarations and Actions, we gathered encouragement, to represent our Grievances and Desires formerly presented to the Parliament, together with these following Articles, exhibited against *Master John Brown*: All which are ready to be made good by legal and competent Witnesses, when ever the said *Master John Brown*, Clerk of the House of Lords, shall be secured or called to account for the same.

The Copy of the Articles exhibited to his Excellency *Thomas Lord Fairfax, General, &c.* against *John Brown, Clerk of the house of Lords.*

1. *Myrmis*. He the said *John Brown*, contrary to Law and a good Conscience, most wickedly did combine and counsel one *Sir Adam Littleton*, who had laid claim to the Estate of one *John Poyntz alias Morris*, Esquire; the said *Littleton* having been several times overthrown by the said *Poyntz alias Morris*, viz. By four several Offices in Essex and London, he was found their apparent at Law to the said Estate; although the Evidences and other Writings, by which his Ancestors held and enjoyed the said Estate, be concealed and withheld. And possession was given to the said *Poyntz alias Morris*, according to two Injunctions given by *Sir Rowland Wansford* of the Court of Wards, and Turnament made by the Tennants Farmers of the said Estate, upon their knowledge, his Ancestors enjoying of the Estate above fifty years, and never in any manner name to this day, but *Poyntz alias Morris*, since the 3<sup>d</sup> of Elizabeth. Notwithstanding all which clear proofs, and many more, the which for brevity sake, are not here inserted, (did Counsel) to bring the business into the Lords House, promising and warranting the said Estate unto him the said *Sir Adam Littleton*: In order to which, he the said *John Brown* caused the said *Poyntz alias Morris*, *Mary his wife, Leonard Darby, John Harris*, and *Isabella Smith*, to be sent for before the Lords, and accused them with a pretended forgery of a Copy of an Act of Parliament, although the Copy of the said Act was delivered to *Leonard Darby*, and *Isabella Smith*, with *Master Browns* hand to it, by one *Master William Hunt*, and under Clerk of the House of Commons, and examined in *Master Browns* Office; and by *Mr. Brown* himself, since acknowledged, but since his said Combination with *Sir Adam Littleton* denied: And he the said *Master Brown*, came to the house of *Poyntz alias Morris*, and threatening, That if he met with him, he would make him come short home.

2. Item, in pursuance of the ends aforesaid, he the said *John Brown*, having upon his false accusation, obtained an Order from the Lords, for the apprehending of *Poyntz alias Morris*, *Mary his wife, Leonard Darby, John Harris*, and *Isabella Smith*, came himself in person, together with one *Fregmorion* his man, and *Littleton* and others, about eleven a clock in the night, to the house of *Poyntz alias Morris*; and he the said *Master Brown*, gave command to the Constables to break open the doors of the house of the said *Poyntz alias Morris*; and being asked by the Constables for his Warrant, *Master Brown* replied, saying, I'll warrant you, but the Constables refused: whereupon, the said *Mr. Brown* himself, and his followers, broken open three doors, with Bolts and Locks; and entered the house; and not finding the Copy of the Act with hand to it; contrary to the Order of the Lords, seized upon all *Poyntz alias Morris* his Evidences and other Writings, and took of Accounts, wherein the Tennants had set their hands, and made their Atournment according to Law, and gave them *Littleton* their Adversary to read, saying, He was Clerk of the Parliament, and what he had done, he could answer; and to that day keepeth them, having no Commission so to do, but his own will.

3. Item, he the said *John Brown*, having by vertue of the Lords Order, seized upon the persons of *Mary Poyntz alias Morris*, *Isabella Smith*, and kept them in custody three weeks, before he brought them before the Lords, giving command to their Keepers, That they should not have a Copy of their Attachments; notwithstanding the Lords Order, was immediate, and their persons, to be brought forthwith before their Lordships.

4. Item, the said *John Brown* did cause the said *Poyntz alias Morris* to be taken forcibly out of his house, with drawn swords, threatening to be thrust in the guts of them that did resist; and by vertue of the Lords Order put him under the Rod, from whence he the said *Mr. Brown* removed him to the Kings Bench, and there entered an Action of a thousand pound against him, and declared in ten thousand pound for pretended words that the said *Poyntz alias Morris* his wife should say, but never brought him the said *Poyntz* before the Lords to this day, to answer to what he had objected against him: he the said *Mr. Brown* did constantly oppose *Poyntz alias Morris* his proceedings, and Petition delivered to the Lords, shewed them to *Littleton*, so that no legal hearing could be had.

5. Item, he the said *John Brown*, having by vertue of the Lords Order, seized upon the persons of *Poyntz alias Morris*, *Mary his wife, Leonard Darby, John Harris*, and *Isabella Smith*, he caused them to be committed close prisoners to four al prisons, viz. Kings Bench, Gatehouse Westminster, Ludgate, Poultry Counter, where they all remain prisoners to this day; and he most maliciously, and contrary to Law, and without any command, but his own will, having them thus in durance, went from prison to prison, threatening their respective Keepers, That if they kept them not close prisoners, he did make them lose their places.

6. Item, the said *Master Brown*, at another time urged the Keepers, That the aforesaid prisoners might be so locked up, none might come at them; and being told, that they would be starved for want of Bread, and eaten up with Lice, the said *Master Brown* replied in words to this effect, saying, That if they did perish they need take no notice of it, for it was his thing to them.

7. Item, he the said *Master Brown*, having denied his own hand to the said Copy, before by him confessed, viz. in these words, Who dare deny it: In order whereunto, for the better vanishing over of his most wicked practices, caused the said *Master Hunt*, an under Clerk to the House of Commons, who delivered the said Copy with *Master Browns* hand to it, to *Leonard Darby*, and *Isabella Smith*, to put in an negative answer in writing, and not  *viva voce*, as by law he ought, viz. He did not remember the delivery of the Copy of the said Act; whereupon, he the said *Master Brown*, by his power and preva-

lency with the Lords, got the said Copy of the Act condemned, and *Poyntz alias Morris*, *Mary his wife, Leonard Darby, John Harris*, and *Isabella Smith*, sentenced and fined, although *Poyntz alias Morris*, *Mary his wife, Leonard Darby, John Harris*, and *Isabella Smith*, were never suffered to make their lawful defence, in regard many of their Friends, and their Witnesses, not daring to appear at the Lords Bar, for fear of *Master Brown*, in respect of his continual threats and slanders.

8. Item, he the said *Master Brown*, knowing his own guilt, fearing he should not be able to delude the Lords to a belief of his false and slanderous Accusation, endeavored to suborn and hire Witnesses, against *Poyntz alias Morris*, *Leonard Darby*, and *Isabella Smith*: In order whereunto, he the said *John Brown*, went unto one *Godfrey Cade*, who hath been a

prisoner in the Fleet, and other places near twenty years, and gave him one pound and five shillings, and promised him five pounds more, with his enlargement, and other courtesies, provided he would make oath before the Lords, That he the said *Cade* forged the said Copy of an Act of Parliament, and counterfeited the said *Browns* hand to it, for *Leonard Darby*, and *Isabella Smith*. In order to which end, he the said *Master Brown*, caused the said *Cade* to be brought up to the Lords House accordingly, as by the said *Cade* was confessed several times since, before divers sufficient Witnesses.

9. Item, he the said *John Brown*, hath from time to time, molested, slandered, and troubled all persons and friends, that did at any time appear in the behalf of the said *Poyntz alias Morris*, *Mary his wife, Leonard Darby, John Harris*, and *Isabella Smith*.

10. Item, he the said *Master Brown*, knowing and finding that *Mr. Audly*, chief Clerk and Master of the Treasury of Records, in the Court of Wards, had delivered to *Isabella Smith*, in the presence of others, several Copies of Records, attested under his hand, found by his Clerks in his Treasury at Westminster, old and dusty, not to be read without sweeping, whereby the Title of *Morris* to the said Estate was cleared, and the Act of Parliament manifested, came to the said *Mr. Audly* and threatened him with the loss of his place, if he should dare to maintain anything against him; and finding the said *Master Audly* to persist in the justification of himself, in the delivery of Copies to *Isabella Smith*, concerning the Estate of *Poyntz alias Morris*; he the said *Master Brown*, caused the said *Master Audly* to be brought to the Lords Bar, and endeavored to have him fined, and to lose his place for the same.

11. Item, the said *Master Brown* feloniously hath caused all the said Records lately remaining in the Treasury of the Court of Wards, and in the Tower, concerning the Estate of *Poyntz alias Morris*, to be removed and delivered into his own custody, and also the Copy of the Act with his own hand to it, delivered by *Mr. Hunt*, but then in the hand of *Master Twisden*, a Counsel for *Poyntz alias Morris*, which by Law is felony, as appears by the Statute of the 8<sup>th</sup> of H.6. chap. 11. to remove, condemn, or cancel Records.

12. Item, he the said *Mr. Brown* hath unjustly and maliciously, upon a slanderous suggestion, caused one *Mr. Pendred*, who appeared in the business, to be imprisoned for pretended words, by vertue of a pretended Order of the Lords, directed by him, the said *Mr. Brown*, to one Justice *Manly* of Westminster, unto which Warrant of Commitment, the said *Mr. Pendred* put in sufficient bail, before *Sir Edward Powell*, another Justice for Westminster, and was released by the said *Sir Edward Powell*; the which *Mr. Brown* hearing, immediately went with others with him unto the said Justice, *Sir Edward Powell*, and told him he would cause his Commission to be taken from him, if he did not immediately cause the said *Mr. Pendred* to be attached again; upon which, the said *Sir Edward Powell* through fear of his power, did accordingly by vertue of a Warrant from *Sir John Woolaston*, attach the said *Mr. Pendred* in the City of London, the same day that he had taken bail, and carried him back to the Gatehouse Westminster again, where he hath remained in prison many months, to his total ruine of his Estate, and hazard of his life, by reason of much sickness, occasioned by his said imprisonment.

13. Item, after the said *Mr. Pendred* had put in his Petition to the Lords, certifying them of his hard usage, the said *Master Brown* opposed it, and said that his bail was Knights of the Post; by whose power and preva- lency in the House of Lords, he the said *Mr. Pendred* is still kept in durance in the Gatehouse, and his bail cannot be admitted to clear, and vindicate themselves, of *Mr. Browns* false slanders and accusations, by reason of his being protected by the Lords.

14. Item, that though upon the Petition of *Poyntz alias Morris*, *Mary his wife, Leonard Darby, John Harris*, and *Isabella Smith*, the Lords referred it to the Judges, to consider and make their Report, Whether the said *Mr. Pendred* and the rest, might be released from their imprisonment, in regard of the fines imposed upon them by the Lords: Which Report was accordingly made by the Judges, that they might be released from their imprisonment, notwithstanding the fines, in regard that the Order for their commitment, was not for any fine, but till the pleasure of the Lords were further signified: Upon which, the said *Mr. Brown*, openly opposed their enlargement in the House of Lords, by a Petition of his to the Lords; and thereupon keepeth them still in durance, and absolutely refused to sign a Copy of the Judges Report made to the Lords, for their enlargement, whereby it might not be so authentic as otherwise it would.

15. Item, he the said *John Brown*, hath brought many vexations and causeless actions, upon many of the friends of *Poyntz alias Morris*, on purpose to beat them off from their appearing in his behalf, the better to keep the said *Mr. Pendred*, and the rest in prison, and from a tryal at Law.

16. Item, that the said *John Brown*, came to the house of Commons and endeavored to his utmost power, to hinder the Petition and Appeal of *Poyntz alias Morris*, and the rest, &c. from being delivered and read.

17. Item, these and many other high crimes, misdemeanors, and oppressions, have been committed by the said *John Brown*, Clerk to the House of Lords; which will be evidently proved by lawful and competent Witnesses, when ever your Excellency shall please to appoint a Committee to receive the same, or otherwise as your Excellency shall think meet.

And having proceeded thus far, give us leave, (being thereto emboldened with the consideration of our innocency, and his tyranny) to appeal to God, and all good men; and if there be any yet remaining, which have not made a covenant with Iniquity, whose hearts God hath kept upright in the pursuance of Justice; to such we call and cry, and desire them to bear us, from our several Cells of slavery: and as they expect the blessing of God upon their proceedings, Let them as an evidence thereof, employ their power, to bring us to a Bar of Justice, to be tried for all supposed Crimes laid to our charge. And although we finde the subtle and plausible suggestions of *Mr. Brown*, to be of too great weight to delude you; yet we desire this may be the touchstone to try his truth by. If as he pretends we be really guilty of such Crimes; we dare him in the sight of God and good men, to bring us to a legal tryal; nay, if we were guilty we might by the Law challenge it, and it ought not to be denied. Oh therefore, if you be Englishmen, or would evidence to the World, that you are no respecters of persons, we are bold to challenge this justice of you, to free us from our imprisonment by the Lords Order, and bring us to a legal tryal, that by the Law we may be acquitted or condemned. This is pure Justice, suffer us not to perish in prison, while you may justly deliver, left by your silence you contract upon your selves, the guilt of other mens oppressions.

Justice, Justice, Justice, is the earnest prayer of

*John & Mary Poyntz, Leonard Darby, John Harris, Isabella Smith, William Pendred.*

Articles exhibited upon the 11<sup>th</sup> of December 1648. unto the Right Honourable the Lord Fairfax his Excellency against *John Brown Clerk of the Parliament*. viz.

1. He the said *John Browne* (contrary to the great trust reposed in him) hath actually invaded, and endeavored to overthrow the Fundamental Lawes of this Kingdom; and by indirect, illegal, and arbitrary practices to delay, obstruct, and pervert Justice, and infringe the Rights and Liberties of the People, to the great damage and detriment of the whole Kingdom, and divers persons and families, viz. he the said *John Brown* by vertue of his Office, upon the 17<sup>th</sup> of August last, did draw up an Order to conceal a horrid Act of injustice done by a Court of Aldermen, sitting in Guildhall London about December 1647. for their not bringing *Henry Woolaston* the Goaler of Newgate London, unto a legal trial for many high crimes of wilfull murder, and many other particulars of absolute Felony charged upon the said *Woolaston*.

2. He the said *John Brown* (the better to stifle justice, and countenance the said high crimes and injustice) did about the 24<sup>th</sup> of October last, cause one *Richard Paris* a late Member of the Army to be arrested, and imprisoned in the Gatehouse Westminster, upon a vexatious Action of a thousand pound at the Suite of the said *John Brown*, merely because *Mr. Paris* did prosecute the said crimes and injustice, for the good of the Commonwealth.

3. He the said *John Brown* (utterly to destroy *M. Paris* for his fidelity to his Countrey) did at his own charge remove *Mr. Paris* unto the Kings Bench Prison, and there did cause two vexatious Actions more to be laid upon *M. Paris*, viz. one in the name of the said *John Brown* of five thousand pound, and the other in the name of one *Glover*, of fifty pound. And the said *John Brown* did likewise give order unto the chief Bailiff of Westminster, and to the Lord chief Justice *Rolls* that no Bail should be taken for *M. Paris* until he the said *John Brown* had seen, and approved them, to the end that he might arrest and imprison them upon the like vexatious actions.

4. He the said *John Brown* (further to expresse his countenancing of the said crimes and injustice, and to molest *M. Paris* in the prosecution thereof) did about the 16<sup>th</sup> of November last, procure a speciall Warrant to attach, and bring the person of *M. Paris* and three of his Witnesses, viz. *M. Clark, M. Neale*, and *M. Tenks*, before the said Lord chief Justice, and upon the said Warrant *M. Paris* and *M. Tenks* were conveyed before the said Lord chief Justice upon the 20<sup>th</sup> of November last. But the Lord chief Justice did send them both away, having neither Accuser or Witness to lay the least crime unto their charge, only the said *John Brown* who did falsely and maliciously say they were a company of Newgate birds.

5. He the said *John Brown* (after that he had stifled Justice above 14. weeks, by countenancing the said horrid crimes of absolute Felony, and the aforesaid injustice) did by vertue of his Office draw up an Order about the 20<sup>th</sup> of November last, to recommend the Examination of the said crimes and injustice unto the Parties accused themselves, viz. to the Court of Aldermen of London, who are chiefly concerned in *M. Paris* his Appeal to the House of Lords for their male administration of Justice.

RICHARD PARIS.



# An APPEAL to each individual Member of the present Parliament and Army, in the case of *John Poyntz alias Morris, Mary his wife, Isabella Smith, Leonard Darby and John Harris:*

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It is a known and approved maxime, That crimes are by so much the greater, by how much the greater the Persons are that commit them; so it is as certain, that that injustice is by so much the more superlatively great, which is perpetrated under pretext of doing Justice.

Sir, *John Poyntz alias Morris, &c.* hath been imprisoned by the Lords, for a pretended Forgery, upon the suggestion of *John Brown*, Clerk of the House of Lords, and one *William Littleton*; upon whose complaint, the Lords contrary to the Great Charter (which says, *Noman shall be seized of his Freehold, Liberty, or Estate; nor be passed upon, save by the judgment of his Peers, or by the Law of the Land*;) proceeded to judgement against the said *Poyntz alias Morris*, was never brought to the Lords Bar, to answer to what was objected against him; by Vertue of which Sentence, the said *Poyntz alias Morris*, and *Mary his wife, Isabella Smith, Leonard Darby*, have remained prisoners ever since May was a twelvemonth; having an estate of above two thousand pound per annum kept from him, by reason of the said illegal Sentence.

That we have not been wanting in our endeavors, both to obtain our Freedoms, and clear our innocency, is apparent by our several Addresses made to the House of Commons: the sum of all our desires being as followeth.

That forasmuch, as it is apparently agreeable to the Law of the Kingdom, That all Offenders are to be tried for all supposed Crimes by a Judge sworn, to proceed in an ordinary Court of Justice, according to Law, and a Jury of their equals sworn to proceed according to evidence: And forasmuch, as notwithstanding all our endeavors, we could never obtain so much Justice, as such a legal Trial, (being but that which Fellons or Murderers may challenge, and do frequently enjoy;) but contrarily have been, and are destroyed by the Lords (who are deluded by Master *Brown's* false suggestions;) That therefore the house of Commons would be pleased to free us from our fines and imprisonment, by Vertue of the Lords Order. And that we might be brought unto a speedy Trial *per pares*, for all Crimes that can be laid unto our charge; that by the Law we might be acquitted or condemned.

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**Myrmik.** He the said *John Brown*, contrary to Law and a good Conscience, most wickedly did combine and counsel one *Sir Adam Littleton*, who had laid claim to the Estate of one *John Poyntz alias Morris*, Elquire; the said *Littleton* having been several times overthrown by the said *Poyntz alias Morris*, viz. By four several Offices in Essex and London, so he was found His apparent at Law to the said Estate; although the Evidences and other Writings, by which his Ancestors held and enjoyed the said Estate, be concealed and withheld. And possession was given to the said *Poyntz alias Morris*, according to two Injunctions given by *Sir Rowland Wansford* of the Court of Wards, and Turnament made by the Tennants Farmers of the said Estate, upon their knowledge, his Ancestors enjoying of the Estate above fifty yeers, and never in any manner name to this day, but *Poyntz alias Morris*, since the 38 of Elizabeth. Notwithstanding all which clear proofs, and many more, the which for brevity sake, are not here inferred, (did Counsel) to bring the business into the Lords House, promising and warranting the said Estate unto him the said *Sir Adam Littleton*: In order to which, he the said *John Brown* caused the said *Poyntz alias Morris*, *Mary his wife, Leonard Darby, John Harris, and Isabella Smith*, to be sent for before the Lords, and accused them with a pretended forgery of a Copy of an Act of Parliament, although the Copy of the said Act was delivered to *Leonard Darby, and Isabella Smith*, with Master *Brown's* hand to it, by one Master *William Hunt*, and under Clerk of the House of Commons, and examined in Master *Brown's* Office; and by Mr. *Brown* himself, since acknowledged, but since his said Combination with *Sir Adam Littleton* denied: And he the said Master *Brown*, came to the house of *Poyntz alias Morris*, and threatening, That if he met with him, he would make him come forth home.

Item, in pursuance of the ends aforesaid, he the said *John Brown*, having upon his false accusation, obtained an Order from the Lords, for the apprehending of *Poyntz alias Morris, Mary his wife, Leonard Darby, John Harris, and Isabella Smith*, came himself in person, together with one *Frogmorton* his man, and *Littleton* and others, about eleven a clock in the night, to the house of *Poyntz alias Morris*; and he the said Master *Brown*, gave command to the Constables to break open the doors of the house of the said *Poyntz alias Morris*; and being asked by the Constables for his Warrant, Master *Brown* replied, saying, I'll warrant you, but the Constables refused: whereupon, the said Mr. *Brown* himself, and his followers, broken open three doors, with Bolts and Locks; and entered the house, and not finding the Copy of the Act with hand to it; contrary to the Order of the Lords, seized upon all *Poyntz alias Morris's* Evidences and other Writings, and took of Accounts, wherein the Tennants had set their hands, and made their Atturnment according to Law, and gave them *Littleton* their Adversary to read, saying, He was Clerk of the Parliament, and what he had done, he could answer; and to that day keepeth them, having no Commission so to do, but his own will.

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Item, he the said Master *Brown*, having denied his own hand to the said Copy, before by him confessed, viz. in these words, Who dare deny it: In order whereunto, for the better vanishing over of his most wicked practices, caused the said Master *Hunt*, an under Clerk to the House of Commons, who delivered the said Copy with Master *Brown's* hand to it, to *Leonard Darby, and Isabella Smith*, to put in an negative answer in writing, and not  *viva voce*, as by law he ought, viz. He did not remember the delivery of the Copy of the said Act; whereupon, he the said Master *Brown*, by his power and preva- lency with the Lords, got the said Copy of the Act condemned, and *Poyntz alias Morris, Mary his wife, Leonard Darby, John Harris, and Isabella Smith*, sentenced and fined, although *Poyntz alias Morris, Mary his wife, Leonard Darby, John Harris, and Isabella Smith*, were never suffered to make their lawful defence, in regard many of their Friends, and their Witnesses, not daring to appear at the Lords Bar, for fear of Master *Brown*, in respect of his continual threats and slanders.

Item, he the said Master *Brown*, knowing his own guilt, fearing he should not be able to delude the Lords to a belief of his false and slanderous Accusation, endeavored to suborn and hire Witnesses, against *Poyntz alias Morris, Leonard Darby, and Isabella Smith*: In order whereunto, he the said *John Brown*, went unto one *Godfrey Cade*, who hath been a

prisoner in the Fleet, and other places near twenty yeers, and gave him one pound and five shillings, and promised him five pounds more, with his enlargement, and other courtesies, provided he would make oath before the Lords, That he the said *Cade* forged the said Copy of an Act of Parliament, and counterfeited the said *Brown's* hand to it, for *Leonard Darby, and Isabella Smith*. In order to which end, he the said Master *Brown*, caused the said *Cade* to be brought up to the Lords House accordingly, as by the said *Cade* was confessed several times since, before divers sufficient Witnesses.

Item, he the said *John Brown*, hath from time to time, molested, slandered, and troubled all persons and friends, that did at any time appear in the behalf of the said *Poyntz alias Morris, Mary his wife, Leonard Darby, John Harris, and Isabella Smith*.

Item, he the said Master *Brown*, knowing and finding that Mr. *Audly*, chief Clerk and Master of the Treasury of Records, in the Court of Wards, had delivered to *Isabella Smith*, in the presence of others, several Copies of Records, attested under his hand, found by his Clerks in his Treasury at *Westminster*, old and dusty, not to be read without sweeping, whereby the Title of *Morris* to the said Estate was cleared, and the Act of Parliament manifested, came to the said Mr. *Audly* and threatened him with the loss of his place, if he should dare to maintain any thing against him; and finding the said Master *Audly* to persist in the justification of himself, in the delivery of Copies to *Isabella Smith*, concerning the Estate of *Poyntz alias Morris*; he the said Master *Brown*, caused the said Master *Audly* to be brought to the Lords Bar, and endeavored to have him fined, and to lose his place for the same.

Item, the said Master *Brown* feloniously hath caused all the said Records lately remaining in the Treasury of the Court of Wards, and in the Tower, concerning the Estate of *Poyntz alias Morris*, to be removed and delivered into his own custody, and also the Copy of the Act with his own hand to it, delivered by Mr. *Hunt*, but then in the hand of Master *Twissden*, a Counsel for *Poyntz alias Morris*, which by Law is felony, as appears by the Statute of the 8 of H. 6. chap. 12. to remove, condemn, or cancel Records.

Item, he the said Mr. *Brown* hath unjustly and maliciously, upon a slanderous suggestion, caused one Mr. *Pendred*, who appeared in the business, to be imprisoned for pretended words, by vertue of a pretended Order of the Lords, directed by him, the said Mr. *Brown*, to one Justice *Manly* of *Westminster*, unto which Warrant of Commitment, the said *Pendred* put in sufficient bail, before *Sir Edward Powell*, another Justice for *Westminster*, and was released by the said *Sir Edward Powell*; the which Mr. *Brown* hearing, immediately went with others with him unto the said Justice, *Sir Edward Powell*, and told him he would cause his Commission to be taken from him, if he did not immediately cause the said *Pendred* to be attached again; upon which, the said *Sir Edward Powell* through fear of his power, did accordingly by vertue of a Warrant from *Sir John Woodliff*, attach the said *Pendred* in the City of London, the same day that he had taken bail, and carried him back to the *Gatehouse Westminster* again, where he hath remained in prison many months, to his total ruine of his Estate, and hazard of his life, by reason of much sickness, occasioned by his said imprisonment.

Item, after the said *Pendred* had put in his Petition to the Lords, certifying them of his hard usage, the said Master *Brown* opposed it, and said that his bail was Knights of the Post; by whose power and prevalency in the House of Lords, he the said *Pendred* is still kept in durance in the *Gatehouse*, and his bail cannot be admitted to clear, and vindicate themselves, of Mr. *Brown's* false slanders and accusations, by reason of his being protected by the Lords.

Item, that though upon the Petition of *Poyntz alias Morris, Mary his wife, Leonard Darby, John Harris, and Isabella Smith*, the Lords referred it to the Judges, to consider and make their Report, Whether the said *Pendred* and the rest, might be released from their imprisonment, in regard of the fines imposed upon them by the Lords: Which Report was accordingly made by the Judges, that they might be released from their imprisonment, notwithstanding the fines, in regard that the Order for their commitment, was not for any fine, but till the pleasure of the Lords were farther signified: Upon which, the said Mr. *Brown*, openly opposed their enlargement in the House of Lords, by a Petition of his to the Lords; and thereupon keepeth them still in durance, and absolutely refused to sign a Copy of the Judges Report made to the Lords, for their enlargement, whereby it might not be so authentic as otherwise it would.

Item, he the said *John Brown*, hath brought many vexations and causeless actions, upon many of the friends of *Poyntz alias Morris*, on purpose to beat them off from their appearing in his behalf, the better to keep the said *Pendred*, and the rest in prison, and from a trial at Law.

Item, that the said *John Brown*, came to the house of Commons and endeavored to his utmost power, to hinder the Petition and Appeal of *Poyntz alias Morris*, and the rest, &c. from being delivered and read.

Item, these and many other high crimes, misdemeanors, and oppressions, have been committed by the said *John Brown*, Clerk to the House of Lords; which will be evidently proved by lawful and competent Witnesses, when ever your Excellency shall please to appoint a Committee to receive the same, or otherwise as your Excellency shall think meet.

And having proceeded thus far, give us leave, (being thereto emboldened with the consideration of our innocency, and his iniquity) to appeal to God, and all good men; and if there be any yet remaining, which have not made a covenant with Iniquity, whose hearts God hath kept upright in the pursuance of Justice; to such we call and cry, and desire them to bear us, from our several Cells of slavery: and as they expect the blessing of God upon their proceedings, Let them as an evidence thereof, employ their power, to bring us to a Bar of Justice, to be tried for all supposed Crimes laid to our charge. And although we fide the subtle and plausible suggestions of Mr. *Brown*, to be of too great weight to delude you; yet we desire this may be the touchstone to try his truth by. If as he pretends we be really guilty of such Crimes; we dare him in the sight of God and good men, to bring us to a legal trial; nay, if we were guilty we might by the Law challenge it, and it ought not to be denied. Oh therefore, if you be righteous, or would evidence to the World, that you are no respecters of persons; we are bold to challenge this justice of you, to free us from our imprisonment by the Lords Order, and bring us to a legal trial, that by the Law we may be acquitted or condemned. This is pure Justice, suffer us not to perish in prison, while you may justly deliver, lest by your silence you contract upon your selves, the guilt of other mens oppressions.

Justice, Justice, Justice, is the earnest prayer of

*John & Mary Poyntz, Leonard Darby, John Harris, Isabella Smith, William Pendred.*

Articles exhibited upon the 11 of December 1648. unto the Right Honourable the Lord Fairfax his Excellency against *John Brown Clerk of the Parliament. viz.*

1. He the said *John Browne* (contrary to the great trust reposed in him) hath actually invaded, and endeavored to overthrow the Fundamentall Lawes of this Kingdom; and by indirect, illegally, and arbitrary practices to delay, obstruct, and pervert Justice, and insinuating the Rights and Liberties of the People, to the great damage and detriment of the whole Kingdom, and divers persons and families, viz. he the said *John Brown* by vertue of his Office, upon the 27 of August last, did draw up an Order to conceal a horrid Act of injustice done by a Court of Aldermen, sitting in Guildhall London about December 1647. for their not bringing *Henry Wollaston* the Goaler of Newgate London, unto a legal trial for many high crimes of wilfull murder, and many other particulars of absolute Felony charged upon the said *Wollaston*.

2. He the said *John Brown* (the better to fluster justice, and countenance the said high crimes and injustice) did about the 24 of October last, cause one *Richard Paris* a late Member of the Army to be arrested, and imprisoned in the Gatehouse Westminster, upon a vexatious Action of a thousand pound at the Suit of the said *John Brown*, merely because Mr. *Paris* did prosecute the said crimes and injustice, for the good of the Commonwealth.

3. He the said *John Brown* (unjustly to destroy Mr. *Paris* for his fidelity to his Country) did at his own charge remove Mr. *Paris* unto the Kings Bench Prison, and there did cause two vexatious Actions more to be laid upon Mr. *Paris*, viz. one in the name of the said *John Brown* of five thousand pound, and the other in the name of one *Glover*, of fifty pound. And the said *John Brown* did likewise give order unto the chief Bailiff of Westminster, and to the Lord chief Justice *Polles* that no Baile should be taken for Mr. *Paris* until he the said *John Brown* had seen, and approved them, to the end that he might arrest and imprison them upon the like vexatious actions.

4. He the said *John Brown* (further to expresse his countenancing of the said crimes and injustice, and to molest Mr. *Paris* in the prosecution thereof) did about the 16 of November last, procure a special Warrant to attach, and bring the person of Mr. *Paris* and three of his Witnesses, viz. Mr. *Clark*, Mr. *Nesle*, and Mr. *Tenks*, before the said Lord chief Justice, and upon the said Warrant Mr. *Paris* and Mr. *Tenks* were conveyed before the said Lord chief Justice upon the 20. of November last. But the Lord chief Justice did send them both away, having neither Accuser or Witness to lay the least crime unto their charge, only the said *John Brown* who did falsly and maliciously say they were a company of Newgate birds.

5. He the said *John Brown* (after that he had stifled Justice above 14. weeks, by countenancing the said horrid crimes of absolute Felony, and the aforesaid injustice) did by vertue of his Office draw up an Order about the 20. of November last, to recommend the Examination of the said crimes and injustice unto the Parties accused themselves, viz. to the Court of Aldermen of London, who are chiefly concerned in Mr. *Paris's* Appeal to the House of Lords for their male administration of Justice.

RICHARD PARIS.